

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

ORDER

On June 23, 2008, United States Magistrate Judge William A. Knox recommended that defendant Brett Kaiser's motion to dismiss be granted and plaintiff's claims against defendant Kaiser be dismissed for failure to state a claim against him. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of June 23, 2008, is adopted. [10] It is further

ORDERED that defendant Brett Kaiser's motion to dismiss is granted and plaintiff's claims against defendant Kaiser are dismissed for failure to state a claim against him. [3]

/s/

NANETTE K. LAUGHREY
United States District Judge

Dated: August 4, 2008
Jefferson City, Missouri